

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	CASE NO. 11-32336-H1-13
	§	
Henry Lee Ford, Jr.	§	CHAPTER 13
	§	
	§	
DEBTOR	§	

DEBTOR(S)' MOTION TO MODIFY CONFIRMED PLAN

Notice of Time to Object and Notice of Hearing

IF YOU WANT A HEARING YOU MUST REQUEST ONE IN WRITING AND YOU MUST RESPOND SPECIFICALLY TO EACH PARAGRAPH OF THIS PLEADING. YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY-ONE DAYS FROM THE DATE YOU WERE SERVED AND GIVE A COPY TO THE PERSON WHO SENT YOU THE NOTICE; OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF. IF A PARTY REQUESTS EMERGENCY CONSIDERATION, THE COURT MAY ACT EXPEDITIOUSLY ON THE MATTER. IF THE COURT ALLOWS A SHORTER RESPONSE TIME THAN TWENTY DAYS, YOU MUST RESPOND WITHIN THAT TIME. IF THE COURT SETS AN EMERGENCY HEARING, IT IS NECESSARY TO PRESERVE YOUR RIGHTS. IF AN EMERGENCY HEARING IS NOT SET, YOU MUST RESPOND BEFORE THE RESPONSE TIME EXPIRES.

IF YOU OPPOSE THIS MOTION TO MODIFY OR IF YOU WANT A HEARING, YOU MUST REQUEST ONE IN WRITING AND YOU MUST RESPOND SPECIFICALLY TO EACH PARAGRAPH OF THIS PLEADING. YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT NOT LATER THAN TEN (10) DAYS BEFORE THE DATE OF THE HEARING AND YOU MUST GIVE A COPY TO THE PERSON WHO SENT YOU THE NOTICE. OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF.

IF A RESPONSE TO THIS PROPOSED MODIFICATION IS FILED AND SERVED, THEN A HEARING ON THIS PROPOSED MODIFICATION IS SCHEDULED FOR SEPTEMBER 12, 2012 AT 10:00 a.m. O'CLOCK IN COURTROOM 404, 4th FLOOR, 515 RUSK AVE., HOUSTON, TEXAS 77002. IF NO TIMELY OBJECTION OR RESPONSE IS FILED, THE COURT MAY CONSIDER THIS MOTION WITHOUT THE NECESSITY OF A HEARING

The Debtor(s) file this Motion to Modify their confirmed plan.

1. **HISTORY OF CASE.** This case was filed on March 18, 2011. The plan was confirmed on 05/24/2011.

2. **REASON FOR MODIFICATION.** A modification is needed to provided for the proof of claim filed by CitiMortgage after confirmation.

3. **PLAN PAYMENTS UNDER CONFIRMED PLAN.** The current plan (as modified through this date) requires payments as follows:

A. Months: 1-60 Payment: \$970.00

4. **PAYMENTS PREVIOUSLY MADE.** As of the date of this motion was filed, the Debtor(s) have made payments to the chapter 13 trustee totalling \$15,671.80. Attached as Exhibit "A" is a schedule of all amounts received by the chapter 13 trustee.

5. **FUTURE PROPOSED PLAN PAYMENTS (AS MODIFIED).** The proposed modified plan requires future payments as follows:

A. Months: 17-60 Payment: \$1,015.00

6. **CURRENT DEFAULTS.** The Debtor(s) are currently in default on payments to the chapter 13 trustee as follows:

Dollar amount in default:	\$ (0) none
Number of months in default:	(0) none
Last Payment Made:	07/23/2012
Amount of Last Payment:	\$447.70

7. **PROPOSED PLAN MODIFICATIONS:**

A. All payment defaults set forth in paragraph 6 are cured by this modification
B The proof of claim filed by CitiMortgage after confirmation shall be provided for in the modified plan.

8. **INTERIM PAYMENTS.** Payments due under this modification will commence on the first due date after this modification is filed, whether or not the modification has yet been approved by the court.

9. **BUDGET.** The Debtor's schedules "I" and "J" that the Debtor(s) request to be considered with this modification are attached as exhibit "B".

10. **ATTORNEYS' FEES (Check One):**

☒ Debtor(s)' counsel shall be paid \$450.00 as a fixed fee for this modification. This box may not be checked if the modification was proposed within 120 days on which the plan was confirmed.

☐ If Debtor(s)' counsel seeks compensation, a separate application will be filed. If not application is filed, no compensation will be paid.

Dated: August 1, 2012

/s/ Henry Lee Ford, Jr.

Henry Lee Ford, Jr.

Respectfully submitted,

/s/ Eloise A. Guzman

Eloise A. Guzman

Guzman Law Firm

State Bar No. 08654570; Fed. ID 7685

Yvonne V. Valdez

State Bar No. 24069019; Fed ID 1129795

Attorneys in Charge for Debtor(s)

8225 Gulf Freeway

Houston, TX 77017

(713) 378-9900 - *Telephone*

(713) 378-9977 - *Telecopier*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Modify Confirmed Plan with Plan Modification and Notice of Hearing and Time to Object was served to all parties in interest listed below and on the attached sheet by First Class United States Mail, postage prepaid, on or before August 1, 2012.

Henry Lee Ford, Jr.
5410 Thistle Drive
Dickinson, Texas 77539

David G. Peake
Chapter 13 Trustee
9660 Hillcroft, Suite 430
Houston, TX 77096

United States Trustee
515 Rusk, Suite 3516
Houston, TX 77002

/s/ Eloise A. Guzman

Eloise A. Guzman
Attorney at Law
Yvonne V. Valdez
Attorney at Law

Citi Mortgage, Inc.
P O Box 689196
Des Moines, IA. 50368-9196

Dickinson ISD
P. O. Box 1169
Dickinson, TX 77553

Galveston County
Tax Assessor Collector
P O Box 1169
Galveston, Texas 77553

Hughes, Watters & Askanase
333 Clay 29th Floor
Houston, TX 77002

Linebarger, Goggan, Blair
P.O. Box 3064
Houston, TX 77253-3064

Perdue, Brandon, Fielder, et al.
1235 North Loop West, Suite 600
Houston, TX 77008

Santander Consumer Usa
8585 N Stemmons Fwy Ste
Dallas, TX 75247

EXHIBIT "A"

7/23/2012		24487	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
7/10/2012		24387	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
6/26/2012		24295	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
6/11/2012		24204	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
5/29/2012		24131	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
5/14/2012		24081	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
4/30/2012		23984	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
4/13/2012		23919	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
3/30/2012		23842	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
3/16/2012		23798	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
3/5/2012		23716	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
2/22/2012		23655	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
2/6/2012		23605	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
1/24/2012		23550	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
1/5/2012		23481	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
12/29/2011		23422	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
12/12/2011		23356	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
11/23/2011		23307	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
11/16/2011		23267	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
10/31/2011		23184	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
10/18/2011		23107	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
9/30/2011		23035	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70

9/20/2011		22964	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
9/6/2011		22893	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
8/24/2011		22838	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
8/8/2011		22778	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
7/26/2011		22682	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$895.40
6/27/2011		22547	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
6/13/2011		22491	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
5/31/2011		22416	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
5/17/2011		22353	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
5/4/2011		22293	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
4/20/2011		1424136307 3	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$450.00
4/18/2011		22211	DEBTOR PAYMENTS REMITTED BY EMPLOYER DEDUCTION	\$447.70
			Totals:	\$15,671.80